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11049 U.S. PTO
03/30/01

Docket # PF-0489-1 CON

11033 U.S. PTO
09/822356
03/30/01

"Express Mail" mailing label number EL 743 379 390 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on 3-30-01

By: Nancy Ramos Printed: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING A PATENT APPLICATION UNDER 37 CFR 1.53(b)

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Dear Sir:

This is a request for filing a **CONTINUATION** application under 37 CFR 1.53(b) of pending prior application Serial No.09/039,307, filed on March 13, 1998 , entitled HUMAN MEMBRANE SPANNING PROTEINS.

1. X Enclosed is a specification corresponding to the prior application, U.S. Application Serial No.09/039,307 filed March 13, 1998, including the corrected oath or declaration as originally signed. The specification does not contain any subject matter that would have been new matter in the prior application.

2. ___ With regard to the requirement of 37 CFR 1.821(e) which requires that a copy of the Sequence Listing in computer readable form (CRF) be submitted, Applicants state that the paper copy of the Sequence Listing for the instant continuation application is identical with the computer readable form filed with Serial No., filed, to which priority is claimed. In accordance with 37 C.F.R. §1.821(e), please use the computer readable form filed with U.S. Application Serial No. as the computer readable form for the instant continuation application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the instant continuation application.

3. X Cancel in this application original claims 8, 17, 18, 20, 21, 23, 24, 26, and 29-78 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a

continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.

4. X The inventors of the invention being claimed in this application are: Y. Tom Tang, Olga Bandman, Preeti Lal, Jennifer L. Hillman, Henry Yue, Neil C. Corley, Karl J. Guegler, Matthew R.Kaser, Mariah R. Baughn, and Purvi Shah.

5. X In accordance with 37 CFR 1.63(d) a copy of the originally signed corrected declaration showing applicants' signatures as filed on 03/27/00 is enclosed.

6. ___ Amend the specification by inserting after the title:

7. X The filing fee is calculated below:

Claims	Number Filed	Minus	Number Extra	Other Than Small Entity Rate	Fee	Basic Fee $710.00
Total Claims	20	-20	0	x $18		$ 0
Indep. Claims	2	-3	0	x $80		$ 0
__ Multiple Dependent Claim(s), if any				+ $270		$ 0

TOTAL FILING FEE $ 710.00

8. ___ An extension of time in the above-named prior application has been requested and the fees therefore have been authorized in said application.

9. X Please charge Deposit Account No. **09-0108** in the amount of $ 710.00 .

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. **09-0108**.

A **duplicate** copy of this Request is enclosed.

10. ___ New formal drawings are enclosed.

11. X The prior application is assigned of record to Incyte Pharmaceuticals, Inc, recorded on 08/30/99, at reel 010204/frame 0759.

12. ___ A preliminary amendment is enclosed.

13. X Also enclosed: Return Postcard, Information Disclosure Statement, List of Cited References (1449), Submission under 37 C.F.R. 1.821-1.825 of Sequence Listing, Revocation and Power of Attorney, and copy of Limited Recognition under 37 C.F.R. 10.9(b).

14. X The power of attorney of the prior application is to:

Narinder S. Banait	**Reg. No. 43,482**
Adam Warwick Bell	**Reg. No. 43,490**
Lucy J. Billings	**Reg. No. 36,749**
Michael C. Cerrone	**Reg. No. 39,132**
Diana Hamlet-Cox	**Reg. No. 33,302**
Matthew R. Kaser	**Reg. No. 44,817**
Lynn E. Murry	**Reg. No. 42,918**
Danielle M. Pasqualone	**Reg. No. 43,847**
Susan K. Sather	**Reg. No. 44,316**
David G. Streeter	**Reg. No. 43,168**
Christopher Turner	**Reg. No. 45,167**
Peng Ben Wang	**Reg. No. 41,420**

a. X A Certificate Under 37 C.F.R. 3.73(b), Revocation of power of Attorney and Appointment of New Attorneys is enclosed.

b. ___ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. X Address all future correspondence to:

INCYTE GENOMICS, INC.
PATENT DEPARTMENT
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555, Fax: (650) 845-4166

Date: 30 March 2001 By: _____
Diana Hamlet-Cox
Reg. No. 33,302
Direct Dial Telephone: (650) 845-4639

Date: March 30, 2001. By: _____
Terence P. Lo, Ph.D.
Limited Recognition (37 C.F.R. § 10.9(b)) attached
Direct Dial Telephone: (650) 621-8581

___ Inventor(s)
___ Assignee of complete interest
X Attorney or agent of record
___ Filed under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a) _____.